

Remarks

The present amendment is made in response to the Office Action dated November 12, 2009, and identified as Paper No. 20091105. Claims 1-12 are pending in the present application. In the Action, the Examiner objected to claim 6. The Examiner also rejected claims 1-7 and 9-12 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2004/0085579 to Campbell ("*Campbell*"). Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Campbell* in view of U.S. Patent No. 6,415,341 to Fry ("*Fry*").

I. Objection to Claim 6

Claim 6 was objected to as containing a bullet labeled as (d), although claim 1, from which claim 6 depends, already contains a bullet (d). Accordingly, claim 6 has been amended to remediate the objection.

II. Claim Rejections under 35 U.S.C. § 102(b)

A rejection under 35 USC 102(b) requires that the reference include each and every limitation recited in the claims. *See* MPEP 2131 ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."). Applicant submits that not all of the elements of the rejected claims are disclosed by *Campbell*, as further explained below; thus the claims are not anticipated.

In particular, Applicant submits that *Campbell* does not teach or suggest the steps of "identifying a triggering byte string to act as a trigger for indicating the suspension of printing of said special effect on said output media," "determining whether said input byte stream includes said triggering byte string," and "suspending the printing of said special effect in response to determining said triggering byte string is in said input byte stream," as required by the independent claims of the present application.

The Examiner asserts that *Campbell* teaches the step of “identifying a triggering byte string to act as a trigger for indicating the suspension of printing of said special effect on said output media” at “Page 3, paragraph 42, wherein the legacy graphic commands are comprised of bytes,” and teaches the step of “determining whether said input byte stream includes said triggering byte string” at “Page 3, paragraph 42, wherein the legacy graphic commands are comprised of bytes.” Paragraph 42 states the following:

“The conversion and storage of the colorization commands is progressively illustrated in FIGS. 13-15. The conversion process begins by determining whether there is any attribute mapping commands stored in memory, 402. If there are attribute mapping commands present, these command parameters are converted to an efficient storage pattern and stored in non-volatile memory, 404. If no attribute commands are present, the conversion process then determines whether there is any legacy graphics commands present. If there are legacy graphics commands (i.e., configurations for header logos 406, trailer logos 410, watermarks 412, and/or margin messages 414) present, the command parameters are converted to efficient storage patterns and stored in non-volatile memory, 408. This same process continues as other commands (i.e., trailer logo commands 410, watermark commands 412, margin message commands 414) are searched for and converted for storage in, non-volatile memory if present.”

Paragraph 42, therefore, teaches the step of converting a received command such as a colorization or legacy graphics command to an efficient storage pattern and storing it in non-volatile memory. *Campbell* does not teach the identification of a command that acts as a trigger to indicate suspension of printing of a special effect. Instead, *Campbell* appears to teach in paragraph 42 the identification of a command to print rather than a command to suspend printing.

While the Examiner focuses on the fact that the legacy graphic commands are comprised of bytes, there are a multitude of other claim limitations that are not met by this paragraph or the whole of *Campbell*, even assuming, arguendo, that these commands are indeed comprised of

bytes. Specifically, as described in detail above the system in *Campbell* does not determine whether there is a triggering byte string that indicates the suspension of printing of a special effect on the output media.

Similarly, the system according to *Campbell* does not determine whether the input byte string includes said triggering byte string (*i.e.*, a triggering byte string that indicates the suspension of printing of a special effect). Since *Campbell* does not teach the step of identifying a triggering byte string to act as a trigger for indicating the suspension of printing of a special effect, as described above, the system cannot determine whether an input string includes such a triggering byte string. In other words, if a system is not configured to identify an element, it cannot determine whether that element is present. Further, the specification of *Campbell* does not appear to teach, mention, or suggest the process of analyzing an input byte string to determine whether it includes the special triggering byte string described in detail above.

Additionally, the system according to *Campbell* does not “suspending the printing of said special effect in response to determining said triggering byte string is in said input byte stream.” Since *Campbell* does not identify the triggering byte string in question, there cannot be a determination of the presence of the triggering byte string, and thus the system cannot respond to the non-existent determination. In other words, a system cannot respond to something that it never identifies.

With regard to claim 6, since *Campbell* does not identify the “triggering byte string” in question, the system according to *Campbell* cannot “associate the triggering byte string” with anything and cannot “optionally remove the triggering byte string” from anything.

Accordingly, Applicant respectfully requests that the rejection of claims 1-7 and 9-12 under 35 U.S.C. 102(b) be withdrawn.

III. Claim Rejections under 35 U.S.C. § 103

Applicant submits that the proposed combination (*Campbell* in view of *Fry*) lacks several express elements of claim 8, and the Examiner has thus not presented a *prima facie* case of obviousness. See MPEP 2143.03 ("To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art."). Specifically, the proposed combination does not cure the deficient showing of *Campbell* as discussed above. Thus, the proposed combination does not render claim 8 obvious under 35 U.S.C. 103. Accordingly, Applicant respectfully requests that the rejection of claim 8 under 35 U.S.C. §103(a) be withdrawn.

III. Conclusion

In view of the foregoing, the Examiner's reconsideration and allowance of the claims of the present application is believed to be in order. If the Examiner believes a phone conference with Applicant's attorney would expedite prosecution of this application, please contact the In view of the amendments made herein as supported by these foregoing remarks, the Examiner's reconsideration is respectfully requested. Should the Examiner believe an interview would expedite prosecution of this application, please contact the undersigned at 315-218-8515.

Respectfully submitted,

Dated: March 8, 2010

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